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UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

IRA DAVES, Plaintiff, v. ERIC H. HOLDER, JR., ATTORNEY GENERAL, Defendant.	Case No.: CV 08-07376 GW (AGRx) DECLARATION OF EUGENE R. LONG, JR. IN SUPPORT OF DEFENDANT'S MOTION FOR A PROTECTIVE ORDER AS TO PLAINTIFF'S FIRST AND SECOND SETS OF REQUESTS FOR FOR ADMISSIONS DATE: February 1, 2010 TIME: 10:00 A.M. PLACE: Courtroom D Hon. Alicia G. Rosenberg Discovery Cutoff: February 28, 2011 Pretrial conference: July 25, 2011 Trial Date: August 23, 2011. JURY DEMAND

[1] On February 3, 2009, Eric Holder was sworn in as the Attorney General of the United States. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Attorney General Holder is automatically substituted for Michael Mukasey as the proper defendant in this suit.

I, Eugene R. Long, Jr., declare as follows:

1. I am an Assistant U.S. Attorney in the Southern District of California and have been appointed a Special Attorney in this matter. I have responsibility for the defense of the above-referenced case. I have personal knowledge of all facts set forth herein. If called upon to do so, I could and would competently testify to those facts.

2. Attached to this Declaration as Defendant's Exhibit A is a true and correct copy of the Document 36, the Scheduling Order in this matter.

3. Attached to this Declaration as Defendant's Exhibit B is a true and correct copy of Plaintiff's Second Amended Complaint in this matter.

4. Attached to this Declaration as Defendant's Exhibit C is a true and correct copy of an email sent to Michael L. Cohen, counsel for Plaintiff, dated December 3, 2010.

5. Attached to this Declaration as Defendant's Exhibit D is a true and correct copy of a letter sent to Michael L. Cohen dated December 13, 2010.

6. On December 15, 2010, I had a telephone conference with Michael L. Cohen to meet and confer informally regarding Plaintiff's first and second set of requests for admission. As part of that conversation, Plaintiff's counsel refused to consider a lower number of requests for admissions or alternative means of discovery.

7. As part of the conversation on December 15, 2010, I also suggested putting the requests for admissions on hold until after mediation. Plaintiff subsequently rejected that offer on December 16, 2010.

8. On December 28, 2010, after Plaintiff served his third set of requests for admissions on Defendant, I spoke with Michael L. Cohen and we agreed that the third set of requests for admissions would be addressed as part of the same motion as the first and second set of requests.

9. Parties agreed on December 28, 2010, that Defendant would have until December 30, 2010 to provide Plaintiff with Defendant's portion's of the joint stipulation to be filed in support of Defendant's motion for a protective order and that Plaintiff would have until January 6, 2010 to provide his portion of the joint stipulation.

I declare under a penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on this 10th day of January 2011 at San Diego, California.

Eugene R. Long, Jr.